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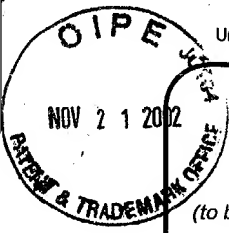
Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/784,866		
	Filing Date	February 15, 2001	
	First Named Inventor	Empedocles, Stephen Alexander	
	Group Art Unit	1655	
	Examiner Name	Forman, Betty J.	
Total Number of Pages in This Submission		Attorney Docket Number	019916-003800US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Carol A. Fang	Reg. No. 48,631
Signature		
Date	November 13, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

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Typed or printed name Patricia Andrews

Signature

Date

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SF 1405764 v1

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 196

Complete if Known	
Application Number	09/784,866
Filing Date	February 15, 2001
First Named Inventor	Empedocles, Stephen Alexander
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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 20-1430

Deposit Account Name: Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	740	2001 370 Utility filing fee	
		1002	330	2002 165 Design filing fee	
		1003	510	2003 255 Plant filing fee	
		1004	740	2004 370 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fees from below	Fee Paid
50	-39** = 11	X\$9	\$99
Independent Claims	8	-7** = 1	X\$42 = \$42
Multiple Dependent		X	

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1201	18	2202 9 Claims in excess of 20	
		1201	84	2201 42 Independent claims in excess of 3	
		1203	280	2203 140 Multiple dependent claim, if not paid	
		1204	84	2204 42 ** Reissue independent claims over original patent	
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$141)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65			Surcharge - late filing fee or oath	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130			Non-English specification	
1812	2,520	1812	2,520			For filing a request for reexamination	
1804	920*	1804	920*			Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*			Requesting publication of SIR after Examiner action	
1251	110	2251	55			Extension for reply within first month	55
1252	400	2252	200			Extension for reply within second month	
1253	920	2253	460			Extension for reply within third month	
1254	1,440	2254	720			Extension for reply within fourth month	
1255	1,960	2255	980			Extension for reply within fifth month	
1401	320	2401	160			Notice of Appeal	
1402	320	2402	160			Filing a brief in support of an appeal	
1403	280	2403	140			Request for oral hearing	
1451	1,510	1451	1,510			Petition to institute a public use proceeding	
1452	110	2452	55			Petition to revive - unavoidable	
1453	1,280	2453	640			Petition to revive - unintentional	
1501	1,280	2501	640			Utility issue fee (or reissue)	
1502	460	2502	230			Design issue fee	
1503	620	2503	310			Plant issue fee	
1460	130	1460	130			Petitions to the Commissioner	
1807	50	1807	50			Petitions related to provisional applications	
1806	180	1806	180			Submission of Information Disclosure Stmt	
8021	40	8021	40			Recording each patent assignment per property (times number of properties)	
1809	740	2809	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	740	2810	370			For each additional invention to be examined (37 CFR § 1.129(b))	
1801	740	2801	370			Request for Continued Examination (RCE)	
1802	900	1802	900			Request for expedited examination of a design application	
Other fee (specify)							
*Reduced by Basic Filing Fee Paid SUBTOTAL (3)							(\$55)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Carol A. Fang	Registration No. (Attorney/Agent)	48,631
Signature		Telephone	415-576-0200
		Date	November 13, 2002

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On November 13, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia Andrews

14/B
PATENT
Attorney Docket No.: 019916-003800US
Client Ref. No.: 0009

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen A. Empedocles, et al.

Application No.: 09/784,866

Filed: February 15, 2001

For: SINGLE TARGET COUNTING
ASSAYS USING SEMICONDUCTOR
NANOCRYSTALS

Examiner: Forman, Betty J.

Art Unit: 1655

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Amendment is submitted in response to the Office Action mailed September 17, 2002. A Petition for a one-month extension of time is submitted concurrently herewith in a separate paper to extend the time for response to on or before November 17, 2002. Applicants respectfully request reconsideration of the above identified application in view of the following amendments and remarks. Please amend the application as follows:

IN THE CLAIMS:

- 1 Please ~~cancel~~ claim 4 without prejudice to future prosecution. Please add new
- 2 claims 40-51 and amend claims 1-3, 5-7, 10, 22, 29-33, and 37 as follows.

11/22/2002 EHAILE1 00000047 201430 09784866

01 FC:2201 42.00 CH

02 FC:2202 99.00 CH